

3 9004 01448687 9

LP  
F

5012

1832

R







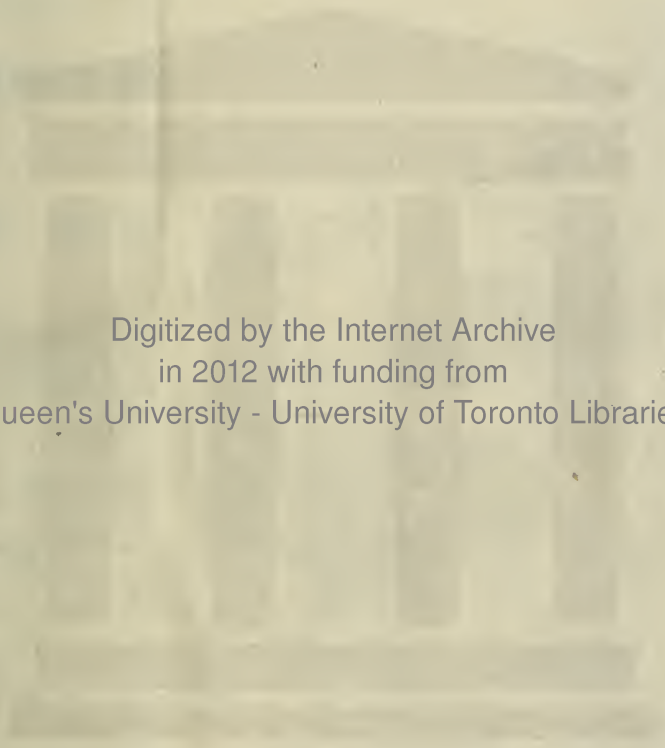
*John Jackson*

*Perth*

NOTICES  
OF  
**THE RIDEAU CANAL.**

Handwritten signature  
J. P. [illegible]

ALFRED C. [illegible]



Digitized by the Internet Archive  
in 2012 with funding from  
Queen's University - University of Toronto Libraries



212 Feet Span

Side Elevation View of the Truss Bridge over the Chaudiere Falls Ottawa River

Designed and Executed under the direction of Lt Col. John By, Chief Engineer

Rideau Canal Finished AD 1828.

Engraved by Wm. B. Smith

THE  
FOLLOWING NOTICES

OF

# **THE RIDEAU CANAL,**

In which is made clear, the exalted worth of the Superintendent of that stupendous work,

## **COLONEL BY,**

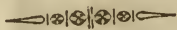
OF

### **THE ROYAL ENGINEERS;**

Who for its grandeur of design—its indefatigable prosecution—and rapid, and successful completion, amid, not only, natural difficulties, most untoward, and unparalleled, but also, artificial obstructions, caused by intrigues of envious men, has merited, and enjoys, the gratitude of the present, and secured for himself a Renown, imperishable in future Ages.

ARE RESPECTFULLY DEDICATED TO THE PUBLIC, BY ITS  
OBEDIENT HUMBLE SERVANT,

## **THE AUTHOR.**



PRINTED AT THE PATRIOT OFFICE, KINGSTON, UPPER CANADA,

JANUARY, 1832.

F5012

1832 R

# THE ALBION

which is mentioned in the Central part of the  
particulars of the ...

## COLONIAL BY

THE ...

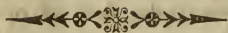
When the ... of ...  
... and ...  
... and ...  
... and ...  
... and ...  
... and ...  
... and ...  
... and ...

THE ...  
...  
...

# THE ALBION

THE ...  
...

## NOTICES OF THE RIDEAU CANAL.



IN a free country, those who preside over the public press, are invested with a high responsibility, holding in their hands and under their control, an Engine of the weightiest power, applicable, at the discretion of those who wield it, to good or evil. I do not know any class of men, who exercise a power, more formidable, or one capable, if well directed, of producing greater good to the community, than the Editors of our public prints. How ardently were it to be wished, that the characters, talents, and acquirements, of this most influential class, were more proportioned to the important part which they have to perform, than, I apprehend, it will be found to be, on a general view, and impartial estimate of the profession. How deeply is the public concerned in the character which they maintain, as independent, and honest guardians of the common weal, and firm supporters of immutable truth and justice. They who direct the public press, ought to possess the higher elements that enter into the character of a wise and good man; and while they are prompt, and zealous to draw merit into the light of public favor, and to spread the shield of their powerful protection over the rights, and reputations of their fellow men, should be free from any taint of party spirit, prejudice, or malevolence. They should be fearless, and unshrinking, ever ready to step forth in defence of immutable truth, and justice. But of all the duties of Editors, none appears to me more imperative than the vindication of those, who have been benefactors of society; or who have generously laboured to promote the common welfare, when the tongue, or the pen, of calumny, detraction, or envy, happens to assail them. To stand aloof on such an emergency, or to be cold, and languid, in the spirit, or strain of their defence, is, in my humble judgement, the greatest disgrace which can attach to these professed champions of public interest, and therefore of public benefactors. A proneness to detraction, is ever a mark of a base, and ungenerous mind, and is peculiarly odious, when manifested by the conductors of the Press, by malicious attacks on individuals who have claims to the gratitude of their country. These reflections are drawn from me, on the present occasion, by the conduct of the greater part (of course with honourable exceptions) of the Editors of Newspapers, printed, in the English Language, in Lower Canada, in reference to some recent accusations which have been trumped up against Colonel By. One is much at a loss to divine what motives could have influenced any set

of men, and least of all, the Editors and proprietors of Newspapers, to unite, in any measure, with the feelings of those, who have arrayed themselves, either avowedly, or covertly, in opposition to a great and noble design, undertaken by the Parent Government, in that spirit of liberality, which has always characterized it, and executed at its own expense; so that this country had nothing to do, but to reap the benefit of the plan, without sharing any part of the burthen; and yet strange and absurd, as such conduct must appear, a spirit, not only of apathy, and ingratitude, but of open hostility, and bitterness, has been manifested in many quarters. It has been viewed, with as much jealousy, as if it had been an undertaking the most selfish, calculated only to promote the interest, and gratify the ambition of Great Britain, and in an equal degree, to operate to the prejudice of Canada, and of this most unwarrantable, and preposterous jealousy, so unequivocally betrayed by many, in regard to this extensive work, Colonel By has felt the full effects; just as if there were those who felt themselves injured, and aggrieved, by his scientific, generous, and indefatigable exertions, to promote so noble a design. The writer of these remarks, unconnected with the interest of either of the parties, in the controversy now agitated, unbiassed by any feelings either of favor or animosity; divested of all prejudice, and pretending to no information, save what he has derived from his opportunity of marking the intelligence, and energy of Col. By, through the whole course of his proceedings, to which are attributable the successful issue of this magnificent work; is induced by a sense of justice to step forward, in vindication of so meritorious and deeply injured an individual.—That he may not be accused of dealing more in general assertions, than facts, and arguments, he feels it incumbent on him briefly to state the grounds, on which his opinions have been formed; which are no other, than a knowledge of all the operations, and circumstances connected with the conduct of this work, since its commencement, down to the present day, and a close and impartial observation of the manner in which Col. By has uniformly striven to perform his arduous, and most important task. Very soon after Col. By's arrival in Canada, were manifested, the symptoms of that unreasonable and invidious opposition, with which he has had so unexpectedly to contend.

No sooner was it known that he had been sent to this country for the express purpose of opening a Navigation, from the waters of the River Ottawa, by the River Rideau, and the Lakes in that direction to Kingston, and Lake Ontario, than doubts as to the practicability of the scheme, were industriously excited, and propagated. The views of Col. By, which, with his characteristic frankness, he openly expressed, both in regard to the great advantages to be derived from the undertaking, and the extensive scale on which he intended, or desired, to have it executed, were unhesitatingly pronounced wild, and visionary, and his reasoning ridiculed as absurd.—One objection in particular continued to be urged, and was held to, with obstinate pertinacity, after various other prognostications were





falsified by the event, namely, that there was not to be obtained a supply of water, sufficient for the purpose of the Navigation. Arguments and underhand influence, were both employed to prevent him from constructing the proposed canal on a larger scale, than that, which had been adopted in the Lachine Canal.

When the enlightened, and liberal views of the British Government, in projecting this grand national scheme, calculated at once for the defence, and protection of the country, and for the improvement of its commerce, and communications, and the developement of its resources, were known, it would have seemed as if it had been viewed in a light altogether opposite, for instead of applause and encouragement, the most strenuous, and unremitting exertions, were made to damp the zeal, and to paralyze, and frustrate the exertions of its designers, and promoters, and when it was ascertained, that Col. By, disregarding all this opposition was notwithstanding determined, as far as in him lay, to have the work conducted on a scale adequate to the greatness, the utility, and the importance of the object, a pamphlet was written, and to ensure its success was printed in London, under the immediate eye of the Parent Government, and to give an appearance of strength, and something like demonstration to its reasonings, calculations were made in tables of figures, and assurance, resting on no less solid ground, as it SEEMED, than that of facts; numerical computation was thus held out to the public of Great Britain, to show that Colonel By's plans, were a useless and wanton waste of money. A comparison was instituted, in this publication, between the dimensions of the Canal, which was proposed to be executed, and those of the Lachine Canal, in which it was confidently stated, that the excavation of the former, was ONE HUNDRED AND THIRTY MILES in length, and it was proved, with this SEEMING foundation of facts, that in his representation of the difference of expense, between the two works in question, Col. By, had erred to an enormous degree; and all this was ushered forth, with such plausibility, and pronounced in such a tone of oracular confidence, that it was little to be wondered at, if it made some impression, and caused some surprise, and demur on the part, even of those, who had previously favored, and patronised the scheme, without any personal knowledge of the actual facts, and circumstances.

Will it be believed, after all this, that the whole length, of Canal excavation does not exceed TEN MILES, the remaining part of the route, being through natural Gullies, Rivers, and Lakes? Such is the gross ignorance, or unblushing assurance with which the enlightened promoter of public improvement, has frequently to contend, accompanied not seldom, with the mortification of finding, that the most palpable misrepresentations, are sufficient to create obstacles to his designs, and to thwart their execution. So it happened in the present instance; for those who judged of the merits of Col. By's plans, and directed his operations, doubtless misled by these misrepresentations, and the calculations and reasonings, which were professed to be based upon them, sent positive orders to Col. By, to make the Locks of the Rideau Canal, of the same dimensions as those of the

Lachine Canal, which though reluctantly, he was obliged to obey, and commenced the work, conformably with these directions.

These directions, there is reason to suspect, originated in the private interests, and prejudices of particular orders of men, without any regard to, or foresight of, their consequences, upon the general welfare of the nation. Fortunately for the interest of society, there are to be found occasionally, individuals of superior intelligence, and endued with such a portion of public spirit, and independence, as to qualify them for the arduous task of exposing to public view, such errors, whether arising from mere ignorance, or selfish, and interested designs. The enlightened views of Col. By, happily found an able and disinterested supporter on this occasion, in Mr. Carey, the respectable and intelligent proprietor, and Editor of the York Observer.

This Gentleman had his attention more particularly drawn to the subject, by hearing the enlarged and liberal views of the Duke of Richmond, in a conversation which he had with that Nobleman, whose melancholy and lamented death, too soon deprived this country of the services to be expected from his eminent talents. Mr. Carey published, remarks, or strictures on the futility, and inadequacy, of the new scale of operations, in clear and forcible language, and with great strength of argument. These remarks were headed, with a view to attract particular notice, with the humorous and apposite title, or motto. "Lo the extensive, and wonderful Rideau Canal, is dwindled into a ditch!!— These remarks he transmitted to the members of His Majesty's Government, and to the principal members of both houses of the British Parliament. Among many other letters of thanks and acknowledgements, which he received in return for the valuable information, he had communicated, on a subject so interesting, there was one from the present King, then Lord High Admiral of England, in his own hand writing, and one from the Duke of Wellington.

Shortly after this, probably in consequence of Mr. Carey's representation, and Col. By's further remonstrances, a commission composed of the eminently enlightened Sir James Kempt, late Governor in Chief, Col. Lewis, and Col. Fanshaw, arrived, with powers to decide on the dimensions of the Locks, and their decision has been adopted, which was, that they should be thirteen feet wider, and twenty six feet longer than those of the Lachine Canal. Since that time, a gallant, and scientific Admiral of the British Fleet, and late commander on the Halifax station, (Sir Charles Ogle) who visited the whole line of the Rideau Canal, and made himself acquainted with the merits of the communication, and the actual advantages which it possessed, lamented, with strong PROFESSIONAL feelings, that Col. By's views of the subject had not been adopted. And that able, and much esteemed Naval Officer, the Hon. Capt. Byng, who had the satisfaction of passing through the first finished Lock on the line, expressed himself highly delighted and astonished at the success, and method, with which Col. By had conducted the work, and his opinions were coincident with the ideas of his brother in profession, that the political advantages could have been consummated, only, by the adoption of Col. By's first intentions. That

Col. By's views of the subject, accorded with those of such distinguished character, for ability, and in all respects, so capable of deciding, is surely the strongest argument in his vindication, from the cavils of pitiful, and envious critics.

Soon after the work had been engaged, throughout the line, persons of less discernment than Col. By, might have discovered, that among the many undertakers, some, from incapacity, mismanagement, or low prices, were not likely to complete, what they had undertaken. Such proved the actual fact, and, in consequence the work performed, was not equal to their demands for money, which demands being of course refused, many workmen, and creditors for provisions &c, could not be paid. The delinquents became clamorous; many of the creditors annoyed Col. By, because, he refused to pay them, and the work remaining in a state of stagnation, the contracts were given into other hands. For this conduct, which was dictated by his anxiety for the progress and despatch of the works, and imposed upon him, by a sense of duty, he (Col. By,) was assailed with abuse, and personal threats; his character was calumniated; his abilities decried; and his proceedings unsparingly censured. Lawsuits were commenced against him for damages, and presses put in requisition, in aid of the defaulters. From the sudden rise of waters, and other casualties, incident to such a work, it could scarcely fail that occasional damage would be incurred, and it is astonishing to remark, with what perverse zeal, statements of the most trifling accidents were proclaimed, and magnified into the most astounding, and dire catastrophies. So reiterated was this practice, as to warrant belief in the existence of a complete system of ESPIONAGE. Truth, was out of the question. Happy the partizan Editor, whose lucky stars gave him the first glimpse, of an incident, susceptible by misrepresentation, of transfiguration from inconsequence, to an object of alarm. It was instantly seized with avidity, moulded to the desired shape, and bandied, with all the eagerness of envious expectation, to, and fro, from one end of the provinces to the other.

It may not be amiss here to mention, that of the first contractors, and applicants for different parts of the works, not more than four, continued to prosecute to the conclusion, what they had undertaken. From inability, inattention, or embarrassed circumstances, the remaining part were compelled to abandon their contracts, which were transferred to others. Prolific source of discontent, and clamour! Nearly all the disappointed, reported, that they had lost large sums, by their undertaking, and many sought to obtain by Law, what they could not by misrepresentation to the authorities; and failing, strained every nerve to obstruct, and to annoy.

The proprietors of Lands, were another set of claimants for, large sums, under pretence of damages done to their property, when in reality, there were but few, if any, to whom, it was not of great advantage. This impediment, which required more than common sagacity, and address to surmount, and in many cases, it could only be done by purchasing the whole of their property, afforded a further handle to Col. By's enemies, who represented his purchasing such a quantity, of land,

which was not wanted for the purposes of Government, a great, and needless waste of money. Doubtless, more property has been purchased than was required for constructing the works, but it is to be considered, that the proprietors demanded large sums for damages, and that Col. By, by purchasing the whole lots, strictly speaking, paid nothing for damages ; in fact, he purchased several thousand acres, for no more than was demanded for damages, and which, most probably, he would have been obliged to have paid, with the additional expense, and trouble of Law suits, Arbitrations, &c. which were of course taken into account. In some instances, these lands were leased to the same persons ; the identical damage claimants, from whom they had been purchased, at a rate equivalent to the interest of the purchase money, and it is by no means unreasonable to expect, that by the time the leases expire, the lands will be of as much value, as in their present uncultivated state ; and estimating the difference of the interest of money obtained by the British Government, and that which is termed legal interest, these thousands of acres of Lands, have probably been purchased for one half of what must otherwise have been paid, merely for damages, without taking into account, that some of the lands, which have not been so leased, would sell for ten times more, than they have cost. Other proprietors of Lands, with whom no arrangement could be made, have occasioned a great deal of expense, and trouble by advancing, and persisting in most unreasonable demands ; requiring several thousand pounds for lands, which, but a short time before the Rideau Canal was commenced, did not cost them fifty pounds, land too, which, if the Canal in question had not been made, would not, for ages to come, have produced one hundred pounds, and while the portions they retained which did not cost them fifteen shillings the acre, were actually increased in value, by the Canal, to one hundred pounds per acre, at which price, and even upwards, it is of every day sale. Such is the foundation of the clamorous out-pourings against Col. By, on the subjects of monies wasted, and injuries inflicted!!

When Col. By decided on the most suitable place for the entrance from the Ottawa, to the Rideau, and it was ascertained that a large proportion of the work, in consequence of an immediate elevation of about eighty feet, would be at, and near this place, he determined here, to establish the head quarters of the department, and as a large space would necessarily be required for Government Stores, Offices, Barracks for Troops, and houses to accommodate the great number of workmen &c. the Col. with a view to prevent all difficulty in obtaining conveniences, which were so indispensable to the success of the works, and equally conducive to the health, and comfort of those employed, and therefore to ultimate economy, and despatch in the execution of so great an enterprise, resolved, with the approbation of the Governor in Chief, to buy a tract of land adjoining, more extensive indeed than was requisite for the immediate, and actual purposes of the making of the Canal, whereby he has incurred the censure of those, who, having no eye to comprehend a wide prospect, fancy they see defects, and blemishes in minute parts, or in the details of a great design, which

would vanish upon a more enlarged view, or be actually transformed into beauties and excellencies. It was undoubtedly on such an enlarged view, that Col. By acted in this instance. Foreseeing that a number of Houses would be wanted in the first starting, and that the site of the place, was so advantageous for trade, that it must soon rise to considerable consequence; with a view to prevent the future evils of promiscuous buildings, he decided on the expediency of laying out the surplus land, in regular good sized streets, &c. and leasing the building lots for a yearly rent, on condition, that the buildings should not be of less dimensions than those which he specified. At the commencement, he put the yearly rent very low, which is generally done by those who understand the founding of a new Town, and as the trade of the place increased, and lots became in greater demand, he raised the rent in proportion to the advantages of the situation, and the applicants had the choice of what was not disposed of, at the rent, and on the conditions, stipulated. The usual progression from a single dwelling, to a settlement, a village, a town, took place with more than ordinary rapidity, but meanwhile through Col. By's kind, and as it proved in most cases, unmerited indulgence, a great number of the proprietors of lots demurred, about the payment of the stipulated rents, which were repeatedly demanded in vain, and finally, the claim of Col. By, was absolutely refused, and resisted; by some, on the plea, that others had their lots at a less rent, and by others, that the land belonged to Government, and that they in consequence, ought not to pay anything.—The natural consequence was, that those who were determined not to pay, were sued for their back rents, which drew upon Col. By, their hatred, and malice. He was abused, and insulted. Law suits were commenced, and pursued with the most determined obstinacy, and in order to defray the expenses of litigation, large sums of money were subscribed, several individuals, giving to the extent of £5. Thus, a systematic opposition was organized, which was prosecuted with an animosity, and perseverance rarely to be paralleled. In order to give the greater effect to this conspiracy, for such it assuredly was, or, at least to render it as annoying as possible to Col. By's feelings, a number of Law suits, and grievances seemed to be reserved, as by concert, for an occasion which would create the greatest perplexity, and embarrassment to the object of their malevolence; and as His Excellency the Governor in Chief, was expected to visit Bytown, it seemed as though it was considered, that his arrival would be the most proper time for the execution of their design. Accordingly a gathering of the myrmidons of the Law took place, at the time of Lord Aylmer's visit, as if with the view of making one great, and general assault. His Lordship was, appealed to immediately on his arrival, and in his presence, Col. By was assailed, and abused, and writs were at different times presented to him in the presence of His Excellency; nay, to such a height were these indignities pushed, that on occasion of His Lordship's departure, on his return to Montreal, a constable was despatched on board of the Steam-Boat, with a writ, or capias, to present to Col. By, just as he came to escort His Lordship on board. This plot

however, was disconcerted, in part, by the spirit, and generosity of the Captain, (Johnstone) who seeing the constable on board, enquired his business, and being apprised of his errand, ordered him to leave the Vessel, observing that he knew well, when, and where Col. By was to be found at any time, and that he would not allow a proceeding so malicious, and disgraceful, to take place on board the vessel which he commanded.

In the month of August last, an accumulated multitude of Law-suits were brought on at Brockville, and Perth, when a number of witnesses on both sides had to attend, among whom were nearly all the Officers, Clerks, &c. belonging to the department, and also Col. Durnford, commanding Engineer of British America; it was at a sickly season of the year, and many of those in attendance, were, shortly after seized with the Fever, and Ague. Nevertheless, all the accusations brought against Col. By, were decided in his favour. While these Law suits were in progress, a report, was circulated, that the Dam at Kingston Mills had given way, and that much damage had been incurred in consequence of this accident. This malicious report produced its desired effect, which was without doubt, completely anticipated by its authors, knowing as they did, the deep interest which Col. By took in the prosecution of the works, and that nothing would prevent him from going wherever he deemed his presence necessary.—He set off without delay to Kingston, and proceeding from thence to the Mills, he found to his great satisfaction, that nothing had happened, but that all the works, were in perfectly good order; whereupon he retraced his steps immediately, to the seat of Law. To show how those litigations were viewed in Kingston, I think it proper to copy a paragraph from the K. Patriot of the 8th Nov., under the Editorial Head. “We have been highly gratified to learn that Col. By has defeated all the actions of every nature, instituted against him. We shall always be glad to hear of the triumphs of Col. By, considering him a great benefactor to the Province. Not that it is his money that has made the Canal, but we aver, that it has been his energy, and promptitude, which are better than money, for all the money in the world without them, would have been useless. A man like Col. By, who has had the superintendence of a more prodigious Work, than any single individual ever superintended, the successful completion of which will immortalize his memory, must of necessity have many, and bitter enemies. Jealousy, and envy, are as natural as day, and night, and never failing begetters of the most deadly hatred, so, that it would be out of nature, were he to issue from the performance of his multifarious duties, totally unassailed by the shafts of calumny.”

Those who had either openly instituted, or secretly instigated, and abetted the Law-suits against Col. By, did not acquiesce with a good grace in the decisions, but persisted, in those acrimonious reflections, which showed how little they were influenced by a sense of Justice, or a proper respect for the judicatories of the country.

In Oct. last, a very violent attack was commenced on Col. By, in one of the Montreal Newspapers, of which I shall not take any further no-

tice at present, as the subject may be examined in a more proper quarter. Immediately following this attack, came forth an extract from a Liverpool newspaper, containing animadversions in the same strain; all of which appear to have been chiefly produced through the enmity of a Clerk, one Burgess, whom Col. By had discharged from his employment. In support of the most foul allegations, much importance seems to have been attached to the circumstance of Col. By, having given him, (Burgess) a favourable testimonial, some time previous to his dismissal, in a letter addressed to Col. Howard; but when, or under what circumstances, was this letter obtained? or what, but malice, or extreme uncharitableness, could have suggested any other construction, than, that the Col. at the time he wrote the certificate in question, was unacquainted with the real character of the said Burgess.—The subject of this clerk and of this letter, has in my judgement, been set in its true light by a very able, and manly comment, from the pen of the patriotic and intelligent Proprietor and Editor (Mr. Dalton,) of the Kingston Patriot of the 8th, and 15th Nov., and is well deserving to be here republished. “We see by an article in the Montreal Gazette,, received this morning, and which has been copied from the Liverpool Chronicle, that one Mr. Henry Burgess, chief Clerk of the works of the Rideau Canal, is now in London, on a gratuitous errand of impeachment. A most extraordinary passage occurs in this account, which we cannot refrain from copying, as we think it fully warrants Col. By to take comfort, and the public, to view with the most deep rooted suspicion, any thing that proceeds from such a man. It is this, “these have at length reached such a height, (speaking of “flagrant abuses,”) that the chief Clerk of Works, Mr. H. H. Burgess, who was appointed to that situation by the Hon. Board of Ordnance in London, determined to be no longer a party to such shameful, and fraudulent proceedings, &c. has come to this country for the express purpose of apprising Government of the impositions, which have been practised upon them.” If there has been any shameful and fraudulent proceedings, he has been a participator, and has voluntarily turned King’s evidence. Dirt! Dirt! We know what clerks oft have it in their power to do; if they be evil minded, they may harrow up the souls of the most sternly virtuous, and inflexibly honest. Employers should ever beware, that their clerks be honest, we mean not in money matters only, but thoroughly, in principle, many, who would scorn to take your money, would in a revengeful fit, glory to blast your reputation.”

An Editor of one of the Newspapers, published in Montreal, who pretends to be friendly towards this discharged clerk, after publishing the letter from Col. By to Col. Howard, remarks, “We cannot adduce any thing more positive than this document, to put down the calumnies now brought forward, to do away with the accusations he has thought proper to make,” upon which Mr. Dalton observes, “who, that has the understanding it were to be wished, that all men had, and but the feeling, without which a man is a brute, but must recognize it as the production of an open, frank, and generous mind, guileless, and unsuspecting of guile, intending nothing but good, and utterly fear-

less of harm? Under what circumstances was this letter obtained? and what need was there for it? whom was it to satisfy? and to whom was it addressed? Its own internal evidence affords an answer to each of these questions but one: What need was there for it? It was obtained at the special request of Burgess, as a certificate of his good conduct, and addressed to his God-father, Col. Howard. It appears he had been recommended to Col. By, by the Lord Bishop of Quebec. What need then, for a certificate of good behaviour, since he was before in such high estimation, as to have been introduced, and recommended by a Lord Bishop? Perhaps this need, may be justly inferred, after more elaborate investigation. The letter is dated Nov. 20th 1829—at which time Burgess had been employed in the Engineer Office two years and ten months, when Col. By, satisfied with all outward appearances, at his special request, gave him a letter calculated for the meridian of a kind God-fathers affections. It is of the utmost importance to know, whether the true and sole intent of Burgess, in requesting this letter, was to cheer the good, anxious old gentleman's heart, or whether it was not intended for the inspection of the Right Hon. and Hon. Board of Ordnance, and as a bar to any thing Col. By might in after time find it necessary to urge against his character. Upon the right understanding of this single question, hangs the renown of this Burgess. How shall it be decided? Why, as in the case of Murder, whose secrecy has made direct evidence impossible, recourse must be had to circumstantial. The letter was given late in Nov. 1829, and Burgess left early in the spring of 1830. We are told by his friends, that he has copies of all the office vouchers. When did he take these copies? before, or after receiving this letter? It is made entirely plain to our understanding, that it could not be after; because, we are informed from a source, which precludes the possibility of doubt, without a most highly authenticated, and pointed contradiction, that quickly from the date of that letter, to the time of his quitting, with but flitting intervals, he was in a state of utter, and deplorable drunkenness; rampant and beset with blue devils. A gentleman, friendly to him, tells us, that drunkenness was foreign to his habits; but he was sometimes "CRACKED," "CRAZY," and "MAD." Thus, which ever account be true, he could be in no state to take copies of voluminous documents; then the copies could not have been taken subsequently to the letter, and to establish the fact of his having SECRETLY taken them before, is to make him out a worse devil, than any of those, blue, or black, that had tormented him. Col. By, was unwittingly giving a certificate of good behaviour, to a miscreant assassin, who had his dagger pointed to his throat. For what purpose did he take these copies? None can say it was for a good purpose. Would Col. By have given him that letter, had he known that he had stolen copies of his papers from his office? (for it is to all intents and purposes a theft of a very aggravated, and disgraceful nature.) None will say yes. No; Col. By would have spurned him. The great and IMMEDIATE cause of his quitting, was his CONSCIENTIOUS SCRUPLES." How scrupulous was his conscience, we have abundant testimony, in the fact of his soliciting a certificate of good conduct from the man

whose ruin he had plotted, and whose throat he had bared for butchery, On the criminality, or innocence of Col. By, knowing neither him, nor his concerns, we have no warrant to say a word. To pronounce judgment, is no business of ours; but if we have drawn fair deductions from such premises,<sup>a</sup> as are presented to us, we declare before God, we would not chastise a cat upon the evidence of this Burgess."

I cannot refrain from here pointing out another direct falsehood, as stated by this Burgess, and published in the Montreal Gazette of the 8th Nov. that in 1827. Col. By sent a Lt. Pooley to England, with new estimates of £474,000 for the information of his Majesty's Government, but as Lt. Pooley had filled the situation of Aid-de-Camp to Lord Dalhousie, altho' in the pay of the Rideau Canal service, he was unable to give sufficient explanation on the subject, never having been through the route, in consequence of the duties he had to attend to, in Quebec. Whereas this Burgess, from his situation in the Royal Engineer Office, must have known, that Lt. Pooley came from Lord Dalhousie to the Rideau Canal, in May 1827, and he also knew, that the said Gentleman was with Col. By, at the Rideau Canal in 1826; for which cause, he was without doubt, chosen by Col. By, to take the estimates to England. It was also, well known to the said Burgess, that Lt. Pooley, a few days before his departure for England, had been taken through the whole line of Canal by Col. By, in order that he might be qualified to give satisfactory explanations on every part of the estimates. Equally false, is the assertion, that he (Burgess) was Chief Clerk of Works. For he neither was, nor could become such, being deficient in every requisite, to qualify him for such a respectable situation. He was a mere writing clerk in the office. What credit can possibly be attached to any statements coming from a man, capable of such gross, and wilful misrepresentations. I could enter, were it necessary, into further particulars, wherein Col. By, has had to contend with difficulties, and embarrassments, which, will, I doubt not, be at some future day, generally acknowledged, few men would have been able to have surmounted; and I confidently believe, that in spite of his enemies, he will receive the grateful tribute of his country, and certainly he will command that of impartial posterity, if not, of the present generation.

As the Chaudiere Bridge has been made a ground of accusation against Col. By, and as his enemies have thought, that this was the most vulnerable point, in which they could assail him, it will be proper to point out some of the reasons, which warranted its construction; and altho' it has been represented as an error, on the part of Col. By, because it eventually cost more than he had calculated, I think it will ultimately prove, that the advantages resulting from it, have amply compensated the actual expenditure. On the determination of the site where the Canal should commence, from the Ottawa, it was found, that eight Locks would be required THERE in succession. It was natural that Col. By should, in the course of his observations, and reflections on the nature, and prospects of his undertaking, be forcibly struck with a variety of obstacles, and disadvantages, which were to be encountered

in the very outset. The land on which the said Locks were to be constructed, as well as that in the vicinity, was in a state of wilderness, and the means of getting to it from the thickly settled agricultural country, on the North side of the Ottawa, was by means of a Ferry, which, from the strong current in the River, was always attended with delay, and in consequence of this, as well as from the great eddies and whirlpools formed by the adjacent falls of the Chaudiere, was by no means unattended with danger. Under these circumstances, a mind so comprehensive and penetrating as that of Col. By, would not fail to foresee the great advantage that would arise, from throwing a bridge from Hull across the River; not only with a view of carrying on the Works, but as an almost indispensable convenience for facilitating the progress of the undertaking, by guaranteeing to those who might be contractors of the different kinds of work, a certainty of being able to procure, at a cheaper rate, a regular supply of provisions for their workmen, and fodder for their cattle. This view, having been submitted to Lord Dalhousie, on occasion of his Lordship's visit, the necessity of the communication was so visible, that he approved at once of Col By's design. Altho' it was late in the fall of 1826, yet, as the works had to be given out early the next spring, in order that those who purposed to be applicants, & who would necessarily be visiting the situation during winter, to ascertain all the advantages and disadvantages connected with the projected work, might have a perfect assurance of every encouragement, and facility, which a bridge communication would afford. Col. By knowing that a bridge forming an easy, speedy, and safe communication between a flourishing district, and the wilderness, where the works were to be carried on, would be considered by all discerning men, of the first importance, in lessening the difficulties and hazards of performing what they might undertake, which must have been otherwise met by a corresponding increase of prices in the Tenders; came at once to the decision, that no time ought to be lost, in commencing it, and accordingly, the first stone arch, was built that winter.—The idea of forming such a communication might not, it is true, have occurred to a man of less abilities, or who took a less extended view of the subject than Col. By. He was too well acquainted with the nature of mankind generally and particularly of such as were capable of undertaking extensive contracts of this sort, not to estimate all the advantages, direct and indirect, immediate, and remote, of the project in question. He foresaw, that the assurance thus afforded to contractors, and others, that they would not be treated with an illiberal, penurious or contracted spirit, under the show of economy, but would receive a generous assistance, and enlightened co-operation, and support, from those charged with the direction of the work, would have a tendency to encourage the capitalist, to stimulate the ardor of men of abilities, and to create a generous, and eager competition. It might be said, and in fact, has been said, that no evidence appears, that the works would not have been done as cheap without the bridge, as with it, that its establishment could have no influence, or effect, save in the immediate vicinity of the Ottawa, and that the Steam-Boats touching on the South side, with increasing the

number of Ferry boats, would have lessened, if not entirely destroyed the necessity of the Bridge. To prove the contrary of this, by positive evidence, would be difficult, but when an enlightened view of the subject is taken, with all the relative circumstances connected with it, I do most positively assert, that the most distant part, and every intermediate section of the line, received the advantage of the building of this Bridge. For even if those who made tenders for more distant works, were assured, that they could reap no immediate benefit from it, they were however inspired hereby, with the confident anticipation, that by amelioration of the communication, and the liberal treatment which this warranted them to expect, generally, they would be furnished systematically by the enlightened director, with every facility and accommodation, in the prosecution of their undertakings; and thereby feared not to engage, at a less price, than they would have been induced to do, under a system less liberal. As to those who contend, that there was no necessity for the Bridge, and that the Steam-Boat, and Ferry-Boats, were sufficient for the purpose; they are acting either disingenuously, and studiously framing plausible misrepresentations, to serve their personal purposes, or party views; or to gratify malevolent, or vindictive feelings, or they are persons of narrow minds, who are capable of judging only of effects, when they are actually produced.

It will be remembered by those, who visited the situations, where the works were to be constructed, on the Rideau Canal, how appalling a prospect was presented, even to the able veteran contractor, how much more, then, to those of more limited resources, or less experienced, and enterprising! For the Steam-Boat, on the Hull side, there were no wharfs to land at, or houses to go into, or roads communicating to, or from the side of the River, where a very great part of the works were to be constructed, now, the site of Bytown. But this spirited undertaking (building of the Bridge) evincing, as it did, in the very outset, the determination of Col. By, to prosecute the whole work with vigour, and to facilitate the means, and the mode of communication, wherever it was requisite, in connection with that open, frank, and affable demeanour, that easiness of access, and communicativeness, on all occasions, when he was applied to, for information, by which he was uniformly distinguished, served to clear up the Horizon, to brighten at once the hopes, and energies, of all who were desirous to embark in the projected Canal; so that all returned, with more favourable opinions, and with a greater inclination to engage in a work conducted under such auspices, than they had felt, prior to visiting the spot. Taking this comprehensive view of all the circumstances, it is my candid opinion, that the building of this Bridge, had the effect of diminishing the expense of the various works, to a degree, which, calculated to the whole extent, and duration of the operations, would amount to a sum exceeding ten fold the expense of the Bridge. This conclusion will be readily admitted, by all competent judges, especially, if they take into account, not only, that it afforded the means of a more safe, expeditious, and commodious passage over the river, but what is still more, gave a pledge, in the very starting, that, through-

out the whole line of the Canal, every reasonable assistance would be extended by Government, to the contractors, in removing general impediments, and facilitating to them, in the most liberal, manner, the execution of the works.

In addition to these considerations, it ought not to be overlooked, that this Bridge has contributed indirectly, in various ways, to the general success of this great enterprise. The lands in the vicinity of the first eight Locks, as has been stated before, have been purchased, and laid out in building lots, which having been leased out, subject to an annual rent, have grown into a flourishing Town, bearing the name of its enlightened founder, how well it has answered the liberal views of Col. By, will be manifested from its actual progress, and present extent, and population. It contains now, a population of about 1,500 inhabitants, and about 200 houses; a variety of public buildings; of which the principal are a large Catholic Church, a Scotch Church, built of stone; a Methodist Meeting House, also of stone; a very respectable Hotel, and several good Houses of entertainment; two Market houses, over one of which is a Town Hall; besides buildings belonging to government, such as Barracks, Military Hospital, Commissariat, and Ordnance Stores, Offices, Workshops, and other buildings, all of which must increase rapidly in value. In consequence of the building of this Bridge, the new Town has become the great Market for the agricultural produce of the old Establishments on the North side of the Ottawa River, as well as of the new agricultural establishments on both sides of it, which are rapidly increasing in number, and consequence, so that it now promises to be one of the largest towns in Upper Canada. The building lots, and other grounds, if sold, would bring much more beyond what, the whole cost, than would pay the expense of building such a Bridge, leaving for the use of Government, all the lands occupied at present for Barracks, Offices, Stores, and Workshops. The tolls of this Bridge are rented for £270, a year (with reservation for Military purposes, such as the passage of Troops, Stores, &c.) a rent which is equivalent to the interest of a sum of Money sufficient to defray the expense of building such a Bridge. It may be said, that it has cost much more than what it could now be built for. This may be true, but so far from lowering, it tends to enhance my estimate of its importance, and value, since it shows that the advantages derived from it, would re-act upon itself. It certainly does not prove by any means, that if the same undertaking, were to be executed under the same circumstances, the effects would be different from what they were. I readily grant, that the same accident might not happen, were the same to be done again, and that one half of the whole expense, by possibility, might be saved, which would have to be placed to the credit of good luck, or fortune, rather than to that of the director, or superintendant. That the main Bridge of about 220 feet span, should have fallen, when it was nearly completed, was an accident which no sagacity could have foreseen, having arisen in consequence of the breaking of a chain; although the chains, by the ordinary rules of calculation, were sufficiently strong. But if Col. By had on

the occasion of its falling, stopped all further proceedings, the part of the work performed, would have been totally lost, with a great part or all, of its beneficial consequences; whereas persevering resolutely, until he had finally, and happily succeeded, he has completed one of the most useful works, of the kind, in the Canadas, and the expence incurred, in completing it, after it had fallen, did not amount to so much as would have been lost, by letting it remain in a state of ruin; besides losing the Tolls, and all the other general advantages, now actually derived from it. In fine, it appears to me, that if all the advantages connected with the building of the Chaudiere Bridge, part of which, I have endeavoured to show, were taken into consideration, by unprejudiced minds, they would unhesitatingly pronounce, that Col. By, in prosecuting that work to its completion, has done just that, which he ought to have done, and that, had the expence been five times greater than was calculated on the outset, he has done nothing which he was not required to do, in the service of his country, by an enlightened view of his duty. I hesitate not to add, that among competent judges, for one who would be found to disapprove, of the completion of the Bridge, fifty would be found that would condemn his relinquishing it. I have taken more space in detailing the circumstances connected with this Bridge, than I should have done, had I not been aware, that it is the all engrossing theme of vituperation against Col. By, on the part of some Malcontents, and is regarded by them as his grand and capital error, "the head and front of his offending;" whereas, if I do not greatly deceive myself, it will prove a source of honour to him, and of incalculable advantage to the country.

I now proceed to make a few observations on Col. By's conduct, and proceedings. Immediately upon his arrival in Canada, he began his examination, and preparations for the undertaking; soon after, the Earl of Dalhousie accompanied him to Hull, and examined his plans. They decided on the site, where the communication should commence from the waters of the Ottawa, and Col. By, having returned, forthwith to Montreal, plans and specifications were prepared, and it was advertised in Newspapers in the Canadas, and in the United States, that Contracts for performing the work would be given out at a particular period in the spring of 1827. Col. By, now became known as a man of abilities, and a man of business; for during this time, his house was frequently full of applicants, for information, concerning the works, which he was always ready to give, and took the greatest pains in communicating it. One characteristic particularly honourable to Col. By, ought not to be omitted. That during the whole progress of the works, HE WAS ALWAYS "AT HOME," MORNING, NOON, AND NIGHT, AND NEVER DECLINED TO SEE ANY PERSON OF WHATEVER DESCRIPTION, WHO CALLED UPON HIM ON BUSINESS: he often rose from his meals to attend on such visitors. If he had company it mattered not, he would leave his guests, whoever they might be, and it was not uncommon to see him, with his razor in his hand, and his face half shaved, talking with those who called upon him. All Assistants, Clerks, Overseers, and workmen, had their hours of business regulated and limited, but every

hour that he was wanted, were his hours of business. It is doubtful if a single instance has occurred, wherein he refused to see any person who applied to him, unless occupied at the same time, with some one else on business, even when the nature of their business was not urgent; and he has been called up from breakfast, dinner and from bed; he not only readily attended, but was scarcely ever known to complain, or to find fault for having been so disturbed. In this respect he is superior to every one that I have ever known, or heard of, without any exception. If he appointed any time when he would be at any particular place, about head quarters, or on the line of the Canal, he was uniformly punctual, to such appointments. No weather, however bad, no impediments however great, prevented him. I do not think there exists, a man entrusted with an undertaking, even of a magnitude, far inferior to that with which he was charged, who is better acquainted with the general principles of what he conducts, and but few, that are better acquainted with the minutiae; certainly there never was one, more willing to inform, or assist those under him, none who would do more to facilitate them, in their undertakings, by advice or otherwise, and in many instances, when, to pass through the different formalities required, would from unavoidable causes, sometimes take so much time, that the person would suffer materially by the delay, and the works, under their charge be impeded, he has taken upon himself to get the business done without these formalities. This accommodating disposition, arising from his laudable solicitude to prevent individual loss, and to accelerate the works committed to his care, might have created some irregularities in the statements, particularly when it is considered, what CONFIDENTIAL CLERKS he had about him, charged with the management of his accounts, and more particularly as it is now acknowledged, that a portion of their time had been directed to purposes inconsistent with the duties of the Office.

In a word, it may be affirmed with confidence, that if, out of his own private fortune, he had been chargeable, with the whole cost of the undertaking, or if his life had depended on the good quality of the work, cheapness of execution, and speedy completion, he could not have made greater exertions, or more completely identified himself with the design, in order to its fulfilment. In many instances he has well nigh lost his life, from the great fatigue, both of body, and mind, which he has endured, and from personal exposure, prompted by his extreme earnestness for the success of the work. It were little to be wondered at, if some parts of such immense works have not, in the first instance, proved completely successful, when it is considered, that a multitude of assistants, and operators, were employed, and nearly all of them, unacquainted with the duties which they had to perform. Although Col. By was as attentive, and indefatigable, as man could be, yet he could not be always, at all places, his orders might in many instances, have been badly attended to, or not understood. Notwithstanding, I do most sincerely believe, that there never were works of such a nature and magnitude, where there were fewer defects, or defects less difficult to be remedied, and whatever deficiencies might

have occurred, his unparalleled dispatch of business, notwithstanding great opposition and astonishing impediments, must have more than counterbalanced them. When it is considered that he has succeeded in establishing a great water communication, and highway of commerce, through pathless and almost impenetrable wilds, and over immense precipices; turned dangerous, and impetuous rapids, into level and tranquil ponds, caused the wilderness to become fruitful fields, uninhabited places, flourishing villages and Market Towns, it must, I think, be acknowledged, that no man, was ever more faithful to the trust confided to him, or in such trust, ever acted with more advantage to his country, or with more credit to those who had selected him for the task.—I have too high an opinion of Col. By's sound sense and judgment to apprehend any hazard from giving him offence by conceding to his adversaries, that he, in common with the wisest and best of his species, is partaker of some failings, prejudices, and passions, which may be easily imagined, may have made him diverge occasionally from perfection, and it might also be believed, that from a warmth of temperament, not unusual with men of generous and noble sentiment, he may have failed to render himself agreeable to all those with whom he had to act, and that under the influence of such a temper he may have fallen into some errors, or been hurried into indiscretions, which persons of less acuteness of feeling, and more coldness and circumspection, might have avoided, yet I do most sincerely believe, that, after every possible abatement is made from his merits, those who are best acquainted with him, must in sincerity be compelled to say of him, in the language of our great dramatic Poet

“ Take him for all, in all, we shall not look upon his like again.”

In writing the preceding strictures on the various allegations, which have been so publicly proclaimed, and so widely and industriously circulated, through the agency or instigation, it must be presumed, of Col. By's enemies and detractors, I feel it due to that Gentleman at the same time to declare, that it is done without his knowledge, and purely from a regard to truth, and for the vindication of an individual who has been in the opinion of all who are capable of judging from experience, most basely and wilfully traduced, and treated with an ingratitude, which reflects much discredit on many of the community, and especially on some conductors of the public Press. I have waited in vain for some abler, and more eloquent pen to be employed in vindication of one of the greatest benefactors of this country, and though I am conscious of my own insufficiency for the task, in many respects, and especially that these views and arguments, which are here adduced, have not the advantage of being set forth with that power of language and illustration which might have given, even to a cause destitute of the same solid advantages, the highest recommendations, I nevertheless, fondly indulge the hope, that the intrinsic weight and value of these arguments, will not be disparaged in the estimate of the enlightened reader, by the imperfections of language, or diction, or by any defects in the writer, of logical skill, or rhetorical embellishment. Col. By is altogether ignorant of the author, or of his design, and cer-

tainly, is in no respect answerable for the errors or defects of his apologist, should he unfortunately fail of doing the honest service in the present publication which he intends.—I am persuaded, that Col. By, conscious of his own purely disinterested motives, in the direction and conduct of the great enterprise, which was entrusted to his management, as well as of the zeal, and ability, with which he prosecuted the work, until the most brilliant success has crowned it, utterly contemns his petty and impotent maligners, and will scarcely thank, even abler advocates than the writer of these observations, unless for their good will, in stepping forth to vindicate his reputation.—I frankly own, that for my own part, I have been impelled to offer the present remarks, principally with a view to wipe off, if possible, the stain of ingratitude which, it seems to me, will attach to Canada, if such an unwarrantable and malignant attack, on so great a benefactor, be allowed to pass without correction, and if, for want of a due exposition of the merits of the cause, any misapprehensions, or doubts, should be suffered to remain in the public mind, to shade the lustre of Col. By's distinguished services to this country in particular, and to the empire generally.—Nor can I close this statement of facts, without again expressing in the most emphatic terms, my disapprobation at the conduct of some of the Editors of Newspapers.—Large allowances might be made for the vehemence of party spirit, and the occasional and partial aberrations into which it betrays, or transports those whom it actuates.—But I can find no apology for, and certainly none can feel any manner of sympathy with those, who are tame, pusillanimous and apathetic, on occasions, when every generous and patriotic feeling conspire to rouse, and to animate, and when nothing but a heartless indifference, or the fear of giving offence, where there is no palpable interest of their own to be served, withholds them from lifting up their voices in a cause, where every manly feeling would enlist, and every sentiment of generous indignation urge, and impel them, were they of the right manner of spirit—of the spirit which becomes their office. I must confess that in my opinion, the utmost violence of party spirit, in the conductors of the press, even when it appears to be united with political opinions and principles, of which I am the least disposed to approve, is not in my eyes, half so perilous, so pestilent, in its tendency, as that selfish apathy, or that ignoble and dastardly spirit, which regardless of truth, honour, justice, and generosity, will not merely sit listless, and unconcerned, but will desert any cause, however good or noble, or stoop to any compliance with the convenient or fashionable opinions that prevail; that base venality of soul, which is ready to prostitute its worthless service to the lowest and vilest of purposes, and with the same alacrity and readiness, as to the best,—A good deal of this meanness has been of late manifested, but were I endowed with the abilities, and conscious of the power suited to the task, I should feel it in a manner, a moral duty, to hold up to public view, and derision, those pitiful beings on whom it is chargeable,

A FRIEND TO JUSTICE AND TO MERIT.











